

DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY KOD DATE 9-30-80

RDS ☐ or XDS ☐ EXT. DATE _____

TS AUTH. _____ REASON(S) _____

ENDORSE EXISTING MARKINGS ☐

DECLASSIFIED ☐ RECLASSIFIED ☒

RELEASE DENIED ☐

PA or FOI EXEMPTIONS _____

295

September 21 1953

In reply refer to
L/T

My dear Mr. Caviochia:

Reference is made to your letter of August 20, 1953 relating to the reservation incorporated in the Senate resolution of approval of the treaty of friendship, commerce, and navigation with Japan.

The Department considers that, under the provisions of paragraph 1 of Article VII of the treaty with Japan, Japanese nationals have the right to engage in the liquor business in the United States on the same basis as United States nationals. Similar provisions, included in a number of treaties concluded in the past have been so construed with respect to the nationals of the country with which the respective treaties were concluded. A compilation of such provisions is contained in the publication entitled "Treaty provisions relating to the rights of aliens to engage in trade or commercial activity, in force between the United States of America and foreign countries", which publication you received in November 1945. Current information respecting treaties containing such provisions is contained in the Department's letter of February 12, 1953, in reply to your letter of November 7, 1952.

Paragraph 2 of Article VIII of the treaty with Japan, to which the Senate reservation relates, concerns professional activities only, as compared with paragraph 1 of Article VII, which relates to commercial, industrial, financial and other business activities, and with paragraph 3 of Article VIII, which relates to scientific, educational, religious and philanthropic activities.

Sincerely yours,

Charles I. Bevans
Assistant for Treaty Affairs
Office of the Legal Adviser

Mr. Dominic A. Caviochia,
Director of Alcoholic Beverage Control,
1060 Broad Street,
Newark 2, New Jersey.

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